

THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
\* \* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAN ROUVEN FUECHTENER,

Defendant.

2:16-cr-00100-GMN-CWH

DATE: November 15, 2016

MINUTES OF PROCEEDINGS

BENCH TRIAL (DAY 2)

THE HONORABLE GLORIA M. NAVARRO, CHIEF UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: Aaron Blazevich

COURT REPORTER: Araceli Bareng

COUNSEL FOR PLAINTIFF: Elham Roohani and Lisa Cartier-Giroux with Special Agent Mari Panovich

COUNSEL FOR DEFENDANT: Jess Marchese, Benjamin Durham, and Michael Sanft

MINUTES OF PROCEEDINGS: Bench Trial (Day 2)

9:11 a.m. The Court convenes. **KELLIE BADALUCCO**, called on behalf of the Government, is sworn and testifies on direct examination by Ms. Roohani. Mr. Marchese conducts cross examination. **EXHIBITS 20A, 20B, 21A, 21B, 22A, 22B, 23A, 23B, 23C, 23D, 23E, 23F, 24, 5035, 5040, and 5040A** are ADMITTED into evidence.

10:35 a.m. The Court recesses for a morning break.

10:49 a.m. The Court reconvenes. **KELLIE BADALUCCO**, called on behalf of the Government and previously sworn, continues testifying on cross examination by Mr. Marchese. Ms. Roohani conducts redirect examination. Mr. Marchese conducts recross examination. **EXHIBIT 5042 is ADMITTED into evidence. EXHIBIT 5036 is marked but not admitted.** The witness is excused.

11:10 a.m. **SPECIAL AGENT GARY McCAMEY**, called on behalf of the Government, is sworn and testifies on direct examination by Ms. Roohani.

11:24 a.m. The Court recesses for a lunch break.

1:06 p.m. The Court reconvenes. Mr. Marchese makes an oral motion for mistrial based upon statements made by the government. The Court does not declare a mistrial.

1:12 p.m. **SPECIAL AGENT GARY McCAMEY**, called on behalf of the Government and previously sworn, continues testifying on direct examination by Ms. Roohani. Mr. Durham conducts cross examination. Ms. Roohani conducts redirect examination. Mr. Durham conducts recross examination. Ms. Roohani conducts further redirect examination. The witness is excused.

1:49 p.m. **JOSHUA RODRIGUEZ**, called on behalf of the Government, is sworn and testifies on direct examination by Ms. Cartier-Giroux. Mr. Sanft conducts cross examination. **EXHIBITS 25A, 26A, and 27A are marked but not admitted.** The witness is excused at this time.

1:55 p.m. **SPECIAL AGENT MARI PANOVICH**, called on behalf of the Government, is sworn and testifies on direct examination by Ms. Cartier-Giroux. The witness is excused. **EXHIBIT 28A is ADMITTED into evidence.**

2:05 p.m. **AGENT PHILIP SCHAPERY**, called on behalf of the Government, is sworn and testifies on direct examination by Ms. Roohani. **AGENT PHILIP SCHAPERY** is designated as an expert in German to English translation. Mr. Sanft conducts cross examination. The Court questions the witness. Ms. Roohani conducts redirect examination. Mr. Sanft conducts recross examination. Ms. Roohani conducts further redirect examination. Mr. Sanft conducts further recross examination. **EXHIBITS 28B, 46A, 46B, and 46C are ADMITTED into evidence. EXHIBITS 25B, 26B, and 27B are marked but not admitted into evidence.**

3:11 p.m. The Court recesses for an afternoon break.

3:29 p.m. The Court reconvenes. **AGENT PHILIP SCHAPERY**, called on behalf of the Government and previously sworn, continues testifying on further recross examination by Mr. Sanft. Ms. Roohani conducts further direct examination. Mr. Sanft conducts further direct examination. Ms. Roohani conducts further direct examination. **EXHIBIT 5043 is ADMITTED into evidence.** The witness is excused.

3:44 p.m. The Court adjourns for the day.

Bench Trial is continued to Wednesday, November 16, 2016 at 12:00 p.m. in Courtroom 7D before Chief Judge Gloria M. Navarro.

LANCE S. WILSON, CLERK  
U.S. DISTRICT COURT

BY: \_\_\_\_\_/S/  
Aaron Blazevich, Deputy Clerk